

WEDNESDAY, January 14, 1852.

The Senate was called to order by the President pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Duggan presented the memorial of H. E. McCulloch, agent of H. R. W. Hill; read and referred to the committee on Public Debt.

Mr. Taylor, chairman of the committee on Private Land Claims, to which was referred the petition of William Hughs, reported a bill for his relief, which was read first time.

Mr. Taylor, from the same committee, reported back to the Senate, a bill for the relief of James Morris, and recommended its passage with the following amendment:

Strike out all of 1st section, after the word "certificate," in ninth line.

Mr. Reaves, chairman of the committee on Engrossed Bills, reported correctly engrossed, joint resolution for the relief of James Pratt Plummer, Warren Lyons and Chipita Willse, wife of Benjamin T. Willse; and

Joint resolution providing for the removal of the remains of the late Stephen F. Austin, for interment in the State burial ground at the city of Austin.

Mr. Gray, chairman of the committee on the Judiciary, reported back to the Senate, a bill to incorporate the city of Corpus Christi, and recommended its passage.

Mr. Gray made the following report:

JANUARY 13, 1852.

The committee on the Judiciary have considered the petition of Coleman Smith, and report that it appears that Mr. Smith was a resident at Santa Fe, on 2nd March, 1836—he removed to Red River in 1838, after the revolutionary struggle had passed, and received a headright certificate as a citizen of Texas at the date of the declaration of Independence, which was rejected by the travelling commissioners under the act to detect frauds, &c. No appeal was taken to the district court by Mr. Smith, as required by the law and constitution, which he says was owing to a decision of the district court of Red River in a similar case, adverse to his claim. Mr. Smith having neglected to prosecute his rights under the law; and a decision in an analagous case having been made against the merits of the claim, a majority of the committee deem it inexpedient to grant any relief in the case, and ask to be discharged from its consideration.

P. W. GRAY, Chairman.

Mr. Grimes made the following report :

AUSTIN, January 14, 1852.

To the Hon. J. W. HENDERSON,

President of the Senate :

The committee on Finance, to whom was referred a bill relinquishing to the counties the State tax for the years 1852 and 1853, have had the subject under their consideration, and are unanimously of opinion that no better disposition can be made of a portion of the interest arising from the United States stock of indemnity, than to appropriate a sufficiency thereof for the support of the State Government for two years, and to apply the direct taxes that under existing laws would be applied to the support of the State Government, to the use of the counties in which the taxes are collected.

The relinquishment of the State taxes to the counties, if judiciously applied, will enable the most of them, within the two years that the bill contemplates relinquishing the taxes, to pay off their outstanding liabilities contracted for the erection of public buildings and the payment of juries, &c., and enable the counties to erect courthouses and jails, that have not heretofore done so. Your committee, therefore, recommend the bill to the favorable consideration of the Senate.

JESSE GRIMES, Chairman.

Mr. Bigelow, from the committee on the Judiciary, to which was referred a bill to amend the charter of the town of Goliad, reported the same back and recommended its passage, with the following amendment :

Amend by adding after the word "laws," in last line of 11th section : "Provided, that this act shall not be construed so as to affect the possession or the right of possession, or the right of any person owning or occupying lots of ground in what was formerly the town of Labahia, on or before the 1st of October, one thousand eight hundred and forty-four."

Mr. Bigelow introduced a bill to repeal joint resolution for the punishment of vagrants, approved January 10, 1839 ; read first time.

Mr. Hill, chairman of the committee on Public Debt, introduced a bill fixing the rate at which the Texas stock of indemnity shall be paid at the Treasury ; read first time.

ORDERS OF THE DAY.

A bill to set apart ten leagues of land for Indian purposes ; read.

Mr. Hill offered the following amendment :

Add to end of section 5 : " to restrict them to the lands herein set apart for their use, and to provide them with the necessary provisions or rations until they are enabled to supply the same for themselves ; " adopted.

Mr. Davis offered the following amendment :

Strike out section 5th, and change the numbers of the following sections ; adopted.

Mr. Wilson offered the following as a substitute for section 5 :

" That none of the lands herein mentioned, while occupied by said Indians, nor any other property in their hands shall be subject to taxation ; and that whenever the general government shall remove said Indians, or from any other cause said lands shall become vacant, they shall not be subject to location, but shall be appropriated by the Legislature for the benefit of the State ; " adopted.

The question being on the engrossment of the bill,

On motion of Mr. Armstrong, a committee was appointed to wait on Mr. Williams, and receive his vote, consisting of Messrs. Hill, Duggan and Eddy.

The bill was ordered to be engrossed by the following vote :

YEAS—Messrs. Armstrong, Bigelow, Bogart, Doane, Duggan, Gray, Grimes, Hart, Hill, Meusebach, Sterne, Williams and Wilson—13.

NAYS—Messrs. Burks, Dancy, Davis, Eddy, Merriman, Parker, Reaves, Scott, Taylor and Truit—10.

A message was received from the House, informing the Senate that the House had passed a bill to create the county of Hidalgo, which originated in the Senate ; also, that the House had adopted the following resolution :

Resolved, 'That the Senate be invited to meet the House of Representatives on Wednesday 21st inst., for the purpose of electing a United States Senator."

Mr. Armstrong introduced a bill setting apart and reserving two leagues of land around each military post on the frontier, for the present occupancy of the United States troops ; read first time.

Mr. Davis, from the committee on Internal Improvements, reported back to the Senate a bill to incorporate the Texas Western Railroad company, and recommended its passage with the following amendments :

Amend section 11, by adding thereto, " which said land so obtained shall be alienated by said company in the following manner : the one fourth in six years, the one fourth in eight years,

the one fourth in ten years, and the other fourth in twelve years from the time the same was acquired."

Amend by substituting sections 10, 15 and 16.

Mr. Gray, chairman of the committee on the Judiciary, made the following report :

The committee on the Judiciary have considered the petitions of William Ford and the heirs of James W. Taylor. They ask for relief in respect of their headright claims. The proof now submitted is insufficient, and the committee deem it inexpedient to recommend the opening of the courts for such special cases.

Mr. Gray, also, made the following report :

JANUARY 13, 1852.

The committee on the Judiciary have considered a bill to be entitled an act to facilitate the operations of persons engaged in the United States coast survey in the State of Texas. The importance of the survey of our coast by competent and scientific men, is too manifest to require any statement of its advantages. Some legislation by the State is necessary to protect the works of the persons engaged in the survey under authority of the United States ; and the bill referred is similar in its character to laws passed for like purposes in other States on the seaboard.—The committee recommend its passage with the annexed amendment.

P. W. GRAY, Chairman.

Mr. Gray, chairman of the committee on the Judiciary, to which was referred a bill providing for the translation of instruments of writing in foreign languages ; reported as a substitute therefor, a bill to provide for giving in evidence, deeds and other instruments of writing in foreign languages, and recommended its adoption, and passage of the bill.

A message was received from the House, informing the Senate that the House had passed a bill to confirm certain titles to land, so far as the location and survey are concerned.

Mr. Dancy offered the following resolution :

Resolved, That the Judiciary committee inquire into the expediency of amending the constitution so as to declare that the district courts of the State have appellate jurisdiction of all cases which originate in interior courts.

On motion, the Senate adjourned until 3 o'clock p. m.

3 O'CLOCK, P. M.

Senate met—roll called—quorum present.

A bill to declare the Town Book of the town of Seguin in Guadalupe county, a book of record ; read second time, and, on motion of Mr. Duggan, referred to the committee on the Judiciary.

On motion of Mr. Dancy, a bill to confirm the titles to land issued to colonists in Milam's colony, was taken from the table and referred to the committee on the Judiciary.

Mr. Bigelow introduced a joint resolution to amend the third section of the fourth article of the constitution; read first time.

Mr. Duggan, chairman of the committee on Enrolled Bills, made the following report:

The committee on Enrolled Bills have examined the following, to wit:

An act for the relief of William Grooms and Thomas N. Little;

An act for the relief of Theresa Tyler;

An act to incorporate the town of Belton in Bell county;

An act to locate the seat of justice in Cass county.

All of which are correctly enrolled, and were this day deposited with the Governor for his signature.

On motion of Mr. Davis, the report of the committee on Internal Improvements, on a bill to incorporate the Texas Western Railroad company, was taken up, and amendments offered by the committee were adopted.

Mr. Taylor moved to strike out the 15th section; lost by the following vote:

YEAS—Messrs. Gray and Taylor—2.

NAYS—Messrs. Bigelow, Bogart, Burks, Dancy, Davis, Doane, Duggan, Eddy, Grimes, Hill, Merriman, Meusebach, Parker, Reaves, Scott, Sterne, Truit and Wilson—18.

The bill was then ordered to be engrossed, and, on motion of Mr. Davis, one hundred copies were ordered to be printed.

A message was received from the Governor, transmitting the following communication, which was read, and, on motion of Mr. Taylor, referred to the committee on Finance, together with the accompanying documents:

EXECUTIVE DEPARTMENT, }
AUSTIN, January 14, 1852. }

To the Honorable the Senate:

In compliance with a resolution of your Honorable body, requesting the Executive "to obtain from some competent architect or master builder, a plan of a building for a State capitol of sufficient dimensions for the accommodation of the two Houses of the Legislature, to be built of brick or stone, in a substantial manner, but upon as cheap a plan as practicable, with the estimates of the cost of such building; and that he cause the plan when obtained, with the estimates of cost, to be laid before the Senate of the present Legislature," I have the honor to submit the accompanying plan and estimate for the construction of a State capitol of stone, and fire-proof.

This plan and estimate have been drafted and prepared with great care, by Mr. Giraud of San Antonio, a gentleman of established reputation as an architect and practical builder, who at my special suggestion, has examined the site of the contemplated structure, and the nature of the material to be found in the vicinity with which it could be built. He has also made the necessary inquiries relative to the cost of labor and the facility of procuring it.

Under the impression that the resolution of your Honorable body would be carried out more effectually and satisfactorily, and be more likely to meet the general views of State, the architect was instructed to draft such a plan as would in its dimensions and general arrangements, afford the greatest possible convenience, safety and comfort, not only in reference to the present wants of the State, and due economy in the construction of the building; but also in view of an increased representation, occasioned by the continually swelling population and its consequent contingencies.

Mr. Giraud is now in this city, and will have much pleasure in giving your Honorable body, at an early day, a full explanation of the details of the plan and estimate herewith submitted; and I respectfully request that suitable provision be made to compensate him for the time and labor he has bestowed in carrying out the object contemplated in the resolution of the Honorable Senate herein referred to.

P. H. BELL.

Estimate of the probable cost of a building of cut-stone, and fire-proof, intended to comprise the Halls of the two branches of the Legislature of the State of Texas, and also the Supreme Court, the Executive, State, Treasury, Comptroller's Departments, &c.

Cut-stone work	\$80,000
Masonry and setting of cut-stone	70,000
Arching	35,000
Framing of roof, domes, &c.	50,000
Copper of same	10,000
Carpentry	10,000
Plastering and incidental expenses	100,000
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	\$355,000

On motion of Mr. Davis, a bill appropriating five hundred thousand dollars for the improvement of the water courses of Texas was taken up.

Mr. Davis offered as a substitute therefor, a bill to appropriate

two hundred and fifty thousand dollars for the improvement of the water courses of Texas.

On motion of Mr. Eddy, the bill was re-committed to the committee on Internal Improvements.

A message was received from the House, informing the Senate that the House had passed a bill to make an appropriation to pay the expenses of the supreme court for the years 1851, 1852 and 1853.

On motion of Mr. Wilson, the bill was taken up and read first time, and, on motion of Mr. Wilson, the rule was suspended, bill read second time, and on motion of Mr. Hill, referred to the committee on Finance.

On motion of Mr. Sterne, a bill to confirm certain titles to land, so far as the location and survey are concerned, was taken up and read first time.

On motion of Mr. Parker, the rule was suspended, bill read second time, and referred to the committee on the Judiciary.

Joint resolution proposing to amend the 3rd section of the 10th article of the constitution, was read second time and referred to the committee on the Judiciary.

On motion of Mr. Kinney, Mr. Doane was added to the committee on Internal Improvements.

On motion of Mr. Taylor, Mr. Scott was added to the same committee.

On motion, the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, January 15, 1852.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Rev. Mr. Baggerly—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Hart presented the petition of sundry citizens of Hunt county, praying the passage of a law allowing Lavina, a colored woman, to remain in the State; referred to the committee on State Affairs.

Mr. Taylor, chairman of the committee on Private Land Claims, reported back to the Senate a bill for the relief of J. F. Pittman, and recommended its passage.

Mr. Grimes, chairman of the committee on Finance, to which were referred a bill to make an appropriation to pay the expenses